


**APPLICATION FOR INITIATIVE OR REFERENDUM PETITION SERIAL NUMBER**

Secretary of State  
1700 W. Washington Street, 7th Floor  
Phoenix, AZ 85007

The undersigned intends to circulate and file an INITIATIVE or a REFERENDUM (circle the appropriate word) petition and hereby makes application for the issuance of an official serial number to be printed in the lower right-hand corner of each side of each signature sheet of such petition. Pursuant to Arizona Revised Statutes § 19-111, attached hereto is the full text, in no less than eight point type, of the MEASURE or CONSTITUTIONAL AMENDMENT (circle appropriate word) intended to be INITIATED or REFERRED (circle appropriate word) at the next general election.

**SUMMARY:** A description of no more than one hundred words of the principal provisions of the proposed law, constitutional amendment or measure that will appear in no less than eight point type on the face of each petition signature sheet to be circulated.

5 To 9 An Initiative measure proposing an amendment to the Constitution of ARIZONA; Amending Article IV. Part 2, Section 1, Constitution of Arizona; Relating to ensuring the Supreme Court Decision in (Reynolds V. Sims 1964) of One Man One Vote is fairly applied to the Arizona Independent Redistricting Commission and improving voter and candidate participation in elections by creating an nine member Independent Commission of balanced appointments to represent the largest number of registered voters and to oversee the mapping of fair and competitive congressional and legislative districts.

  
\_\_\_\_\_  
Signature of Applicant  
Doug "Q" Quellan  
\_\_\_\_\_  
Printed Name of Applicant  
3746 W. Monte Cristo Ave.  
\_\_\_\_\_  
Address  
Phoenix AZ 85053  
\_\_\_\_\_  
City State Zip  
602 999-8748  
\_\_\_\_\_  
Telephone Number

Date of Application	10/15/15
Signatures Required	225,963
Deadline for Filing	7/7/2016
Serial Number Issued	C-05-2016
FOR OFFICE USE ONLY	

Revised 11/92

5 To 9

\_\_\_\_\_  
Name of Organization (if any)  
15440 N. 35th Ave.  
\_\_\_\_\_  
Address  
Phoenix AZ 85053  
\_\_\_\_\_  
City State Zip  
602 978-8772  
\_\_\_\_\_  
Telephone Number  
Doug "Q" Quellan Chairman  
\_\_\_\_\_  
Name of Officer and Title  
3746 W. Monte Cristo Ave.  
\_\_\_\_\_  
Address  
Phoenix AZ 85053  
\_\_\_\_\_  
City State Zip  
602 999-8748  
\_\_\_\_\_  
Telephone Number  
Richard Lee Koertner  
\_\_\_\_\_  
Name of Officer and Title  
3838 W. Hatcher Rd.  
\_\_\_\_\_  
Address  
Phoenix AZ 85051  
\_\_\_\_\_  
City State Zip  
602 908-4019  
\_\_\_\_\_  
Telephone Number

2015 OCT 15 AM 10:01  
SECRETARY OF STATE

CF# 2016 00322

PROPOSITION  
OFFICIAL TITLE

5 TO 9

SECRETARY OF STATE

AN INITIATIVE MEASURE

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PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA; AMENDING ARTICLE IV, PART 2, SECTION 1, CONSTITUTION OF ARIZONA; RELATING TO ENSURING THE SUPREME COURT DECISION (REYNOLDS V. SIMS 1964) OF ONE MAN ONE VOTE IS FAIRLY APPLIED TO THE ARIZONA INDEPENDENT REDISTRICTING COMMISSION AND IMPROVING VOTER AND CANDIDATE PARTICIPATION IN ELECTIONS BY CREATING AN INDEPENDENT COMMISSION OF BALANCED APPOINTMENTS TO REPRESENT THE LARGEST NUMBER OF REGISTERED VOTERS AND TO OVERSEE THE MAPPING OF FAIR AND COMPETITIVE CONGRESSIONAL AND LEGISLATIVE DISTRICTS.

TEXT OF PROPOSED AMENDMENT BE IT ENACTED BY THE PEOPLE OF THE STATE OF ARIZONA:

PROPOSITION  
OFFICIAL TITLE

ARTICLE IV, PART 2, SECTION 1, CONSTITUTION OF ARIZONA, IS AMENDED AS FOLLOWS IF APPROVED BY THE VOTERS AND UPON PROCLAMATION BY THE GOVERNOR:

1. Senate; house of representatives; members; special session upon petition of members; CONGRESSIONAL AND LEGISLATIVE BOUNDARIES; CITIZEN COMMISSIONS

Section 1. (1) The senate shall be composed of one member elected from each of the thirty legislative districts established by the legislature PURSUANT TO THIS SECTION.

The House of Representatives shall be composed of two members elected from each of the thirty legislative districts established by the legislature PURSUANT TO THIS SECTION.

(2) Upon the presentation to the governor of a petition bearing the signatures of not less than two-thirds of the members of each house, requesting that he call a special session of the legislature and designating the date of convening, the governor shall forthwith PROMPTLY call a special session to assemble on the date specified. At a special session so called the subjects which may be considered by the legislature shall not be limited.

(3) BY FEBRUARY 28 OF 2017, THE FIVE MEMBER INDEPENDENT REDISTRICTING COMMISSION SHALL BE REPLACED BY A NINE MEMBER INDEPENDENT REDISTRICTING COMMISSION, ESTABLISHED TO PROVIDE FOR THE REDISTRICTING OF CONGRESSIONAL AND STATE LEGISLATIVE DISTRICTS. THE INDEPENDENT REDISTRICTING COMMISSION SHALL CONSIST OF NINE MEMBERS. NO MORE THAN THREE MEMBERS OF THE INDEPENDENT REDISTRICTING COMMISSION SHALL BE MEMBERS OF THE SAME POLITICAL PARTY OR STATUS. NO MORE THAN TWO DEMOCRATIC APPOINTMENTS, OR TWO REPUBLICAN APPOINTMENTS OR TWO INDEPENDENT APPOINTMENTS SHALL RESIDE IN THE SAME COUNTY. EACH MEMBER SHALL BE A REGISTERED ARIZONA VOTER WHO HAS BEEN CONTINUOUSLY REGISTERED WITH THE SAME POLITICAL PARTY OR REGISTERED AS UNAFFILIATED WITH A POLITICAL PARTY FOR THREE OR MORE YEARS IMMEDIATELY PRECEDING APPOINTMENT, WHO IS COMMITTED TO APPLYING THE PROVISIONS OF THIS SECTION IN AN HONEST, INDEPENDENT AND IMPARTIAL FASHION AND TO UPHOLDING PUBLIC CONFIDENCE IN THE INTEGRITY OF THE REDISTRICTING PROCESS. WITHIN THE THREE YEARS PREVIOUS TO APPOINTMENT, MEMBERS SHALL NOT HAVE BEEN APPOINTED TO, ELECTED TO, ANY OTHER PUBLIC OFFICE, INCLUDING PRECINCT COMMITTEEMAN OR COMMITTEEWOMAN BUT NOT INCLUDING SCHOOL BOARD MEMBER OR OFFICER, AND SHALL NOT HAVE SERVED AS AN OFFICER OF A POLITICAL PARTY, OR SERVED AS A REGISTERED PAID LOBBYIST .

(4) THE INDEPENDENT REDISTRICTING COMMISSION SHALL NOT BE ANSWERABLE TO OR DIRECTED TO DO ANYTHING BY ANY OTHER STATE AGENCY, OFFICE, BRANCH OR EMPLOYEE.

(5) BY JAN. 8<sup>TH</sup> OF 2017 AND FROM THEN FORWARD ON JAN. 8<sup>TH</sup> OF YEARS ENDING IN ONE, THE PROCESS OF CHOOSING A NEW INDEPENDENT REDISTRICTING COMMITTEE SHALL BEGIN. THE SECRETARY OF STATE OF THE STATE OF ARIZONA SHALL MAKE AVAILABLE REGISTERED VOTER LISTS TO THE COMMISSION TO HELP ESTABLISH ELIGIBILITY FOR SERVING ON THE COMMISSION.

(6) APPOINTMENTS TO THE INDEPENDENT REDISTRICTING COMMISSION SHALL BE MADE IN THE ORDER SET FORTH BELOW. NO LATER THAN JANUARY 31 2017 AND FROM THENCE FORTH ON YEARS ENDING IN ONE, ONE MEMBER SHALL BE APPOINTED BY THE SPEAKER OF THE ARIZONA HOUSE OF REPRESENTATIVES, ONE MEMBER SHALL BE APPOINTED BY THE LEADER OF THE SECOND LARGEST MINORITY PARTY OR GROUP

OF REGISTERED INDEPENDENTS IN THE ARIZONA HOUSE OF REPRESENTATIVES, ONE MEMBER SHALL BE APPOINTED BY THE LONGEST SERVING MEMBER OF THE MAJORITY PARTY IN THE ARIZONA STATE SENATE WHO RECEIVED THE MOST VOTES IN THE LAST GENERAL ELECTION, ONE MEMBER SHALL BE APPOINTED BY THE LONGEST SERVING MEMBER OF THE SECOND LARGEST PARTY OR GROUP OF REGISTERED INDEPENDENTS OF THE ARIZONA STATE SENATE WHO RECEIVED THE MOST VOTES IN THE LAST GENERAL ELECTION, ONE MEMBER SHALL BE APPOINTED BY THE PRESIDENT OF THE ARIZONA STATE SENATE, ONE MEMBER SHALL BE APPOINTED BY THE LEADER OF THE SECOND LARGEST MINORITY PARTY OR GROUP OF REGISTERED INDEPENDENTS IN THE ARIZONA STATE SENATE. THE FINAL THREE MEMBERS SHALL BE APPOINTED BY THE FOLLOWING: SHALL ANY OF THE THREE ABOVE GROUPS OF REGISTERED VOTERS NOT HAVE THREE APPOINTEES AFTER THE ABOVE SELECTION THEN THE LAST THREE APPOINTMENTS SHALL BE MADE BY THE FOLLOWING, IF ONE TO THREE INDEPENDENT, REPUBLICAN OR DEMOCRATIC MEMBERS NEED TO BE APPOINTED, THEY WILL BE APPOINTED BY A MEMBER OF THE ARIZONA HOUSE OF REPRESENTATIVES OR A CANDIDATE FOR THE HOUSE THE ARIZONA REPRESENTATIVES THAT RECEIVED THE MOST VOTES IN THE LAST GENERAL ELECTION WHILE RUNNING AS A MEMBER OF A PARTY OR GROUP THAT DOES NOT HAVE THREE APPOINTEES. IF THREE ARE STILL NOT SELECTED AS APPOINTEES THEN ANOTHER MEMBER WILL BE APPOINTED BY THE MEMBER OR CANDIDATE FOR ARIZONA STATE SENATE THAT RECEIVED THE MOST VOTES IN THE LAST GENERAL ELECTION. IF ANY MORE MEMBERS NEED TO BE APPOINTED THEY SHALL BE APPOINTED BY A MEMBER OR CANDIDATE FOR THE ARIZONA HOUSE OF REPRESENTATIVES THAT RECEIVED THE SECOND MOST VOTES IN THE LAST GENERAL SELECTION. THE LAST THREE APPOINTERS SHALL BE ONLY FROM LEGISLATIVE DISTRICTS THAT IN THE PREVIOUS GENERAL ELECTION OF 2016 AND HENCEFORTH IN YEARS ENDING IN A ONE AT LEAST THREE CANDIDATES FOR THAT OFFICE WERE ON THE BALLOT AND THAT THE APPOINTER WAS ON THE BALLOT THAT HAD AT LEAST THREE CANDIDATES (ONE REPUBLICAN, ONE DEMOCRAT AND ONE INDEPENDENT) FOR THE OFFICE THAT THE APPOINTER RAN FOR. ALSO THE LAST THREE APPOINTEES MUST COME FROM A DISTRICT IN WHICH A REGISTERED DEMOCRAT, A REGISTERED REPUBLICAN AND A REGISTERED INDEPENDENT WERE ON THE BALLOT AND RECEIVED VOTES. WRITE IN CANDIDATES WILL NOT BE INCLUDED.

(7) ANY VACANCY IN THE ABOVE NINE INDEPENDENT REDISTRICTING COMMISSION POSITIONS REMAINING AS OF MARCH 1, 2017 OR A YEAR ENDING IN ONE SHALL BE FILLED WITHIN FOURTEEN DAYS. ONLY INDEPENDENT MEMBERS CAN BE APPOINTED BY INDEPENDENTS, ONLY REPUBLICANS CAN BE APPOINTED BY REPUBLICANS AND ONLY DEMOCRATS CAN BE APPOINTED BY DEMOCRATS.

(8) AT A MEETING CALLED BY THE SECRETARY OF STATE, THE NINE INDEPENDENT REDISTRICTING COMMISSION MEMBERS SHALL SELECT BY A UNANIMOUS VOTE, A MEMBER WHO SHALL SERVE AS CHAIR. THAT MEMBER MUST BE A REGISTERED MEMBER OF THE LARGEST REGISTERED GROUP, STATUS OR PARTY IN THE STATE OF ARIZONA. OF THE THREE ELIGIBLE MEMBERS, VOTING CAN ONLY BE FOR ONE OF THE THREE MEMBERS WHO HAS CONSENTED TO ACCEPT THE POSITION IF ELECTED.

(9) THE NINE COMMISSIONERS SHALL THEN SELECT BY A VOTE OF SEVEN MEMBERS ONE OF THEIR MEMBERS TO SERVE AS VICE-CHAIR.

(10) AFTER HAVING BEEN SERVED WRITTEN NOTICE AND PROVIDED WITH AN OPPORTUNITY FOR A RESPONSE, A MEMBER OF THE INDEPENDENT REDISTRICTING COMMISSION MAY BE REMOVED BY A UNANIMOUS VOTE OF THE OTHER EIGHT MEMBERS FOR SUBSTANTIAL NEGLECT OF DUTY, GROSS MISCONDUCT IN OFFICE, OR INABILITY TO DISCHARGE THE DUTIES OF OFFICE. THERE SHALL BE NO OTHER WAY TO REMOVE A MEMBER OF THE COMMISSION.

(11) IF A COMMISSIONER OR CHAIR DOES NOT COMPLETE THE TERM OF OFFICE FOR ANY REASON, THE NOMINEES SHALL BE OF THE SAME POLITICAL PARTY OR STATUS AS WAS THE MEMBER WHO VACATED THE OFFICE AT THE TIME OF HIS OR HER APPOINTMENT, AND THE APPOINTMENT OTHER THAN THE CHAIR SHALL BE MADE BY THE CURRENT HOLDER OF THE OFFICE DESIGNATED TO MAKE THE ORIGINAL APPOINTMENT. THE APPOINTMENT OF A NEW CHAIR SHALL BE MADE BY THE REMAINING COMMISSIONERS. THE NEWLY APPOINTED COMMISSIONER SHALL SERVE OUT THE REMAINDER OF THE ORIGINAL TERM.

(12) SEVEN COMMISSIONERS, INCLUDING THE CHAIR OR VICE-CHAIR, CONSTITUTE A QUORUM. SEVEN OR MORE AFFIRMATIVE VOTES ARE REQUIRED FOR ANY OFFICIAL ACTION. WHERE A QUORUM IS PRESENT, THE INDEPENDENT REDISTRICTING COMMISSION SHALL CONDUCT BUSINESS IN MEETINGS OPEN TO THE PUBLIC, WITH 48 OR MORE HOURS PUBLIC NOTICE PROVIDED.

(13) A COMMISSIONER, DURING THE COMMISSIONER'S TERM OF OFFICE SHALL BE INELIGIBLE FOR

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ARIZONA PUBLIC OFFICE OR FOR REGISTRATION AS A PAID LOBBYIST. THE NINE MEMBER COMMISSION SHALL HAVE THE SAME TERMS IN OFFICE AS THE CURRENT FIVE MEMBERS. EXCEPT THE FIRST COMMISSION SHALL HAVE A TERM OF FOUR YEARS STARTING JAN. 2017 AND EACH SUCCEEDING COMMISSION SHALL BE FOR A TERM OF TEN YEARS.

(14) THE INDEPENDENT REDISTRICTING COMMISSION SHALL ESTABLISH CONGRESSIONAL AND LEGISLATIVE DISTRICTS. THE COMMENCEMENT OF THE MAPPING PROCESS FOR BOTH THE CONGRESSIONAL AND LEGISLATIVE DISTRICTS SHALL BE THE CREATION OF DISTRICTS OF EQUAL POPULATION IN A GRID-LIKE PATTERN ACROSS THE STATE. ADJUSTMENTS TO THE GRID SHALL THEN BE MADE AS NECESSARY TO ACCOMMODATE THE GOALS AS SET FORTH BELOW:

A. DISTRICTS SHALL COMPLY WITH THE UNITED STATES CONSTITUTION AND THE UNITED STATES VOTING RIGHTS ACT;

B. CONGRESSIONAL DISTRICTS SHALL HAVE EQUAL POPULATION TO THE EXTENT PRACTICABLE, AND STATE LEGISLATIVE DISTRICTS SHALL HAVE EQUAL POPULATION TO THE EXTENT PRACTICABLE;

C. DISTRICTS SHALL BE GEOGRAPHICALLY COMPACT AND CONTIGUOUS TO THE EXTENT PRACTICABLE;

D. DISTRICT BOUNDARIES SHALL RESPECT COMMUNITIES OF INTEREST TO THE EXTENT PRACTICABLE;

E. TO THE EXTENT PRACTICABLE, DISTRICT LINES SHALL USE VISIBLE GEOGRAPHIC FEATURES, CITY, TOWN AND COUNTY BOUNDARIES, AND UNDIVIDED CENSUS TRACTS;

F. TO THE EXTENT PRACTICABLE, COMPETITIVE DISTRICTS SHOULD BE FAVORED WHERE TO DO SO WOULD CREATE NO SIGNIFICANT DETRIMENT TO THE OTHER GOALS.

G. NO CONGRESSIONAL OR LEGISLATIVE DISTRICT SHALL HAVE MORE THAN 49% REGISTERED VOTERS FROM ONE PARTY OR STATUS. THIS IS NON NEGOTIABLE IN COURT AND THERE ARE NO IFS ANDS OR BUTS.

(15) PARTY REGISTRATION AND VOTING HISTORY DATA SHALL BE EXCLUDED FROM THE INITIAL PHASE OF THE MAPPING PROCESS BUT MAY BE USED TO TEST MAPS FOR COMPLIANCE WITH THE ABOVE GOALS. THE PLACES OF RESIDENCE OF INCUMBENTS OR CANDIDATES SHALL NOT BE IDENTIFIED OR CONSIDERED.

(16) THE INDEPENDENT REDISTRICTING COMMISSION SHALL ADVERTISE A DRAFT MAP OF CONGRESSIONAL DISTRICTS AND A DRAFT MAP OF LEGISLATIVE DISTRICTS TO THE PUBLIC FOR COMMENT, WHICH COMMENT SHALL BE TAKEN FOR AT LEAST THIRTY DAYS. EITHER OR BOTH BODIES OF THE LEGISLATURE MAY ACT WITHIN THIS PERIOD TO MAKE RECOMMENDATIONS TO THE INDEPENDENT REDISTRICTING COMMISSION BY MEMORIAL OR BY MINORITY REPORT, WHICH RECOMMENDATIONS SHALL BE CONSIDERED BY THE INDEPENDENT REDISTRICTING COMMISSION. THE INDEPENDENT REDISTRICTING COMMISSION SHALL THEN ESTABLISH FINAL DISTRICT BOUNDARIES.

(17) THE PROVISIONS REGARDING THIS SECTION ARE SELF-EXECUTING. THE INDEPENDENT REDISTRICTING COMMISSION SHALL CERTIFY TO THE SECRETARY OF STATE THE ESTABLISHMENT OF CONGRESSIONAL AND LEGISLATIVE DISTRICTS.

(18) UPON APPROVAL OF THIS AMENDMENT, THE DEPARTMENT OF ADMINISTRATION OR ITS SUCCESSOR SHALL MAKE ADEQUATE OFFICE SPACE AVAILABLE FOR THE INDEPENDENT REDISTRICTING COMMISSION. THE TREASURER OF THE STATE SHALL MAKE \$10,000,000 AVAILABLE FOR THE WORK OF THE INDEPENDENT REDISTRICTING COMMISSION PURSUANT TO THE YEAR 2000 CENSUS. UNUSED MONIES SHALL BE RETURNED TO THE STATE'S GENERAL FUND AFTER THE YEAR 2019 AND IN YEARS ENDING IN EIGHT OR NINE AFTER THE YEAR 2020. THE LEGISLATURE SHALL APPROPRIATE MONIES FOR ADEQUATE REDISTRICTING EXPENSES AND SHALL MAKE AVAILABLE ADEQUATE OFFICE SPACE FOR THE OPERATION OF THE INDEPENDENT REDISTRICTING COMMISSION. THE LEGISLATURE SHALL MAKE THE NECESSARY APPROPRIATIONS BY A MAJORITY VOTE.

(19) THE INDEPENDENT REDISTRICTING COMMISSION SHALL HAVE PROCUREMENT AND CONTRACTING AUTHORITY AND MAY HIRE STAFF AND CONSULTANTS FOR THE PURPOSES OF THIS SECTION, INCLUDING LEGAL REPRESENTATION.

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(20) THE INDEPENDENT REDISTRICTING COMMISSION SHALL HAVE STANDING IN LEGAL ACTIONS REGARDING THE REDISTRICTING PLAN AND THE ADEQUACY OF RESOURCES PROVIDED FOR THE OPERATION OF THE INDEPENDENT REDISTRICTING COMMISSION. THE INDEPENDENT REDISTRICTING COMMISSION SHALL HAVE SOLE AUTHORITY TO DETERMINE WHETHER THE ARIZONA ATTORNEY GENERAL OR COUNSEL HIRED OR SELECTED BY THE INDEPENDENT REDISTRICTING COMMISSION SHALL REPRESENT THE PEOPLE OF ARIZONA IN THE LEGAL DEFENSE OF A REDISTRICTING PLAN.

(21) MEMBERS OF THE INDEPENDENT REDISTRICTING COMMISSION ARE ELIGIBLE FOR REIMBURSEMENT OF EXPENSES PURSUANT TO LAW, AND A MEMBER'S RESIDENCE IS DEEMED TO BE THE MEMBER'S POST OF DUTY FOR PURPOSES OF REIMBURSEMENT OF EXPENSES.

(22) NO ELECTED OFFICE HOLDER OR NO MEMBER OR EMPLOYEE OF ANY STATE AGENCY, BRANCH OR OFFICE SHALL INFLUENCE OR ATTEMPT TO INFLUENCE THE DISTRICT-MAPPING DECISIONS OF THE INDEPENDENT REDISTRICTING COMMISSION, ANY ATTEMPT TO DO SO WILL RESULT IN IMMEDIATE TERMINATION OF EMPLOYMENT FOR SAID EMPLOYEE, OR OFFICE HOLDER IN THE STATE. THIS IS APPLICABLE TO ALL EMPLOYEES WHETHER THEY ARE CONSIDERED COVERED OR NON-COVERED.

(23) EACH COMMISSIONER'S DUTIES ESTABLISHED BY THIS SECTION EXPIRE UPON THE APPOINTMENT OF THE FIRST MEMBER OF THE NEXT REDISTRICTING COMMISSION. THE INDEPENDENT REDISTRICTING COMMISSION SHALL NOT MEET OR INCUR EXPENSES AFTER THE REDISTRICTING PLAN IS COMPLETED, EXCEPT IF LITIGATION OR ANY GOVERNMENT APPROVAL OF THE PLAN IS PENDING, OR TO REVISE DISTRICTS IF REQUIRED BY COURT DECISIONS OR IF THE NUMBER OF CONGRESSIONAL OR LEGISLATIVE DISTRICTS IS CHANGED.

THE SECRETARY OF STATE SHALL SUBMIT THIS PROPOSITION TO THE VOTERS AT THE NEXT GENERAL ELECTION. B

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